

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

MARCUS GRIGGS, #261331,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:09cv172-TMH
)	
OFFICER FITZPATRICK,)	
)	
Defendants.)	

ORDER AND OPINION

On April 2, 2009, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 4). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED and that this case is DISMISSED with prejudice prior to service of process as required by 28 U.S.C. § 1915(e)(2)(B)(I).

Done this the 23rd day of April, 2009.

/s/ Truman M. Hobbs

SENIOR UNITED STATES DISTRICT JUDGE